

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DENETTA RENEE WILLIAMS,

Plaintiff

v.

CIVIL ACTION NO. _____

DR. Timothy Jenney, in his individual and professional capacity;

DR. Shirley Rose, in her individual and professional capacity;

Michael Mc Kie, in his individual and Professional capacity;

Paul Wells, in his individual and Professional Capacity;

Marie Ake ,in her individual and Professional Capacity;

Sylvia Morales, in her individual and Professional capacity;

Jan Owens, in her individual and professional capacity;

Bruce Allbright in his individual and governmental capacity;

Susan Honabum in her individual and governmental capacity;

Sonal Buchar in her individual and governmental capacity;

Jim Rice in his individual and governmental capacity;

Atwood Mc Andrew in his individual and professional capacity;

Ruby Shaw in her individual and governmental capacity;

Kenneth S. Cannata in his individual and governmental capacity;

Fort Bend I.S.D. Police department;

Fort Bend District Attorney Office

JOINTLY AND SEVERALLY,

DEFENDANTS

PLAINTIFF ORIGINAL COMPLAINT

1. This cause is filed under 42 U.S.C. Section 1983 to challenge and redress the named Defendants violation of the constitutional rights of Denetta Renee Williams to the due process and equal protection under the Fourteenth Amendment to the United States Constitution , the search and seizure clause under the Fourth Amendment to the United states Constitution and the First Amendment Freedom of speech under the United States Constitution.

- 10.** Defendant Sylvia Morales was employed as the attendance clerk on the Campus of George Bush High School.
- 11.** Jan Owens was employed as the truancy officer by Fort Bend I.S.D.
- 12.** Jim Rice served as the President of the School Board for FBISD.
- 13.** Bruce Allbright was a member of Fort Bend I.S.D. Board of Trustees
- 14.** Sonal Buchar was a member of Fort Bend I.S.D. Board of Trustees
- 15.** Susan Hanobum served as President of Fort Bend I.S.D. School Board
- 16.** Atwood Mc Andrew was employed as a Special Prosecutor with the District Attorney's office.
- 17.** Ruby Shaw was employed by Fort Bend County as an Associate Judge.
- 18.** Kenneth S. Cannata was elected a Justice of the Peace Pct.3, Fort Bend County.
- 19.** Fort Bend Independent School District Police Department is a municipality situated in Fort Bend County.
- 20.** Fort Bend County District Attorney's office is situated inside of Fort Bend County.

VI. CAUSES OF ACTION

- 21.** Paragraph 1 through 20 are incorporated herein.
- 22.** The due process clause of the Fourteenth Amendment forbids government conduct that deprives "any person of life, liberty, or property without due process of the law." The due process clause provides two major types of protection. First, substantive due process bars certain arbitrary, wrongful government action regardless of the fairness of the procedures used and may

require courts to void certain types of government actions that infringes upon individual rights and freedom of action.

A. Substantive due process violation

23. Plaintiff's substantive due process rights were violated by the state actors and state agencies without probable cause, exigent circumstances or a pre-deprivation hearing to wit:

- (a) State actors were acting without probable when investigating the plaintiff for violating a Law of the State.
- (b) The acts and omissions of the state actors and agencies were undertaken with gross disregard for clearly established constitutional rights of the plaintiff.
- (c) As a proximate result of the acts and omissions of the state actors and state agencies the plaintiff was damaged.

B. Procedural due process violation

24. Plaintiff procedural due process rights were violated by the state actors and agencies without probable cause or a pre- deprivation hearing, to wit:

- (a) Plaintiff was denied a pre deprivation hearing.
- (b) Plaintiff a non attorney was ordered to act as the attorney for the minor whom the plaintiff was being tried with.

(c) Plaintiff did not have the constitutional right to represent anyone other than herself in matters before the state actors.

(d) ALL state actors conspired to have the GUILTY outcome for the minor, which would automatically resulted in a GUILTY outcome for the Plaintiff.

(e) ALL state actors were aware of the FACT, the plaintiff was not the parent or legal guardian of the unaccompanied minor, therefore, the state charge of Parent Contributing to non attendance did not apply.

(f) All state actors were aware of the fact the 16 year old unaccompanied minor was being tried by jury without the benefit of her parent or guardian being notified .

C. EQUAL PROTECTION OF LAW VIOLATIONS

25. Plaintiff posses liberty rights guaranteed by the First and Fourteenth Amendments to the Constitution of the United States of America to be free from malicious ,false and fraudulent prosecution in criminal court.

26. Plaintiff was subjected to a malicious, false and fraudulent prosecution in court.

27. The collaboration and conspiracy of the defendants included , but was not limited to:

- (a) The falsification of the unaccompanied minor's attendance records by Sylvia Morales.
- (b) The willful failure of Atwood Mc Andrew to notify the parent or the guardian of the minor as required by law when matters are going before the court.
- (c) The demand for the minor and I to appear at court the same day the fraudulent citation was written by officer Jan Owens.
- (d) The willingness of the state actors to proceed, despite the fact the law required the presence of a formal complaint to be filed by the date of any pre-trial.
- (e) The willingness for the Ruby Shaw to proceed with the trial despite knowing NONE of the rights afforded in Pre- deprivation hearings were provided to the unaccompanied minor and I.
- (f) The willingness of the Kenneth S. Cannata to obliterate In re Gault 387 U.S. 1 (1967) by denying the unaccompanied minor the right to have her parent or guardian notified as well as having the Right to cross examine witnesses with the assistance of a competent attorney.
- (g) Dr. Shirley Rose blatant disregard for established School Board Policy in her malicious quest to retaliate against the plaintiff for filing a complaint against her.

(h) Dr. Shirley Rose blatant disregard for Federal Educational Law in her quest to retaliate against the plaintiff.

(i) Dr. Timothy Jenney, Michael Mc Kie, Jim Rice, Susan Hanabum, Sonal Buchar , Bruce AllBright all had prior knowledge of the Conspicay, however, due to the INDIFFERENCE ALL displayed for the unaccompanied minor since 2008 and Bruce Allbright soon thereafter, none of the defendants demanding the deprivation acts cease. As a matter of Fact Michael Mc Kie and Dr. Timothy Jenny joined the conspiracy.

(j) Marie Ake willful counting the student absent on days the student was present and attending class.

(k) Paul Wells willful supervision of the conspiracy to have the student and I charge with a crime.

28. FIRST AMENDMENT CLAUSE OF THE U.S CONSTITUTION

(a) The First Amendment to the United States Constitution says that "congress shall make no law respecting an establishment of religion, or prohibiting the free exercise therof ; or abridging the freedom of speech or petition the Government for a redress or grievance.

29. First Amendment violation

(a) The plaintiff asserted a Right of Free Speech.

(b)Dr. Shirley Rose and Michael Mckie began to conspire to have false charges brought against the plaintiff as retaliation for the plaintiff filing a grievance with the school Board.

VII.RELIEF

30.Paragraph 1-29 are incorporated herein.

31. Declaratory relief

32.Equitable relief

33.Compensatory and economic damages

34.Damages for emotional distress

35.Exemplary damages Attorneys fees and costs under 42 U.S.C. 1988:and

36.Such other relief as is just and equitable under the circumstances.

DEMAND FOR TRIAL BY JURY

The plaintiff demand that her case be tried before a jury.

Respectfully Submitted,



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